

### REMARKS

Upon entry of this Amendment, claims 1-6 and 9-42 will be pending in the application.

Applicants acknowledge with appreciation the courtesies extended by the Examiner, Steven Sax, to Applicants' attorney, Lara Northrop, in the telephone interview on November 9, 2004.

By present Amendment, claims 1, 5, 10 and 26 have been amended to recite, *inter alia*, “an associated directional sound capturing device responsive to a viewing direction of the panoramic visual images recording device”. Claim 9 has been amended to recite, *inter alia*, “providing directional sound from a directional sound capturing device responsive to a viewing direction of the panoramic visual images recording device”. Claims 20 and 39 have been amended to recite, *inter alia*, “means for capturing directional sound responsive to a viewing direction of the means for capturing panoramic visual images”. Claims 25 and 40 have been amended to recite, *inter alia*, “capturing directional sound from a directional sound capturing device responsive to a viewing direction of the panoramic visual images recording device”. Basis for the amended claim language is provided in the specification, for example, at page 3, lines 16-18 and page 4, lines 1-3.

### 35 U.S.C. § 103(a)

Claims 1-6 and 9-42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,583,815 to Driscoll, Jr. et al (“Driscoll”) in view of U.S. Patent No. 6,606,117 to Windle (“Windle”). According to the Office Action, Driscoll discloses an imaging system with a panoramic visual images display device and an associated directional sound playback device. The Examiner acknowledges that “Driscoll does not specifically show the corresponding recording equipment for the visual images being positioned remotely from the sound capturing device, but do mention conveniently recording images and associated directional sound for play back.” To account for the deficiencies of Driscoll, the Examiner applies Windle as disclosing capturing devices for images and sound remote from each other for conveniently

obtaining associated directional sound for playback. According to the Examiner, it would have been obvious to one of ordinary skill in the art to combine the teachings of Driscoll with the teachings of Windle because it would provide a convenient way to obtain images and associate directional sound for playback.

As amended, independent claims 1, 5, 9, 10, 20, 25, 26, 39 and 40 each recite that the associated directional sound capturing device, or means for capturing direction sound, is responsive to a viewing direction of the panoramic visual images recording device and positionable remotely from the panoramic visual images recording device. Applicants submit that neither Driscoll, nor Windle nor the combination of Driscoll and Windle disclose, teach or suggest a directional sound capturing device that is positionable remotely from the panoramic visual images recording device and responsive to a viewing direction of an associated panoramic visual images recording device.

Applicants further submit that if the teachings of Driscoll were combined with the teachings of Windle, the resulting combination would not disclose all of Applicants' claimed features. Windle discloses a content gathering apparatus in which template instructions for enhancing the composition of the content information can be obtained. Windle discloses three embodiments. The first embodiment is directed to a digital still camera, the second embodiment is directed to a video camera, and the third embodiment is directed to a sound mixing desk. Windle does not disclose in any of the embodiments that sound and visual images are combined in the template instructions or the content gathering apparatus. In each embodiment of Windle, only one type of data, i.e. visual or audio, is collected. Accordingly, Applicants submit that Windle does not remedy the deficiencies of Driscoll, i.e., that the associated directional sound capturing device, positionable remotely from the visual image capturing device, is responsive to a viewing direction of the visual images recording device. Applicants submit that independent claims 1, 5, 9, 10, 20, 25, 26, 39 and 40, and the claims depending therefrom, are patentable over the applied references.

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In view of the foregoing amendments and remarks, it is submitted that claims 1-6 and 9-42 are patentable over the prior art of record. Accordingly, an early Notice of Allowance of this application is respectfully requested. In the event that any outstanding matters remain in connection with this application, the Examiner is invited to telephone the undersigned at (412) 263-4362 to discuss such matters.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lara A. Northrop', written in a cursive style.

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